

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION

In the Matter of:)

Opinion requested by)

John H. Augustine)

Union Oil Company of California)

No. 75-064

July 2, 1975

BY THE COMMISSION: We have been asked the following question by John H. Augustine of the Union Oil Company of California:

The Union Oil Company of California qualified as a "committee" under Section 82013 of the Political Reform Act. Because of the travel requirements of the Union Oil treasurer, Union Oil would prefer to designate someone other than the treasurer to authorize expenditures.

Is it necessary for the treasurer of Union Oil to sign reports required under the Political Reform Act of 1974?

CONCLUSION

^{1/}There is no requirement under Government Code Section 84100 that the corporate treasurer of Union Oil must sign and verify reports required to be filed in behalf of the Company as a campaign committee.

ANALYSIS

A committee supporting or opposing a candidate or candidates must file campaign statements as detailed in Article 2 of Chapter 4 of the Political Reform Act. Union Oil is a committee under the definition in Section 82013(c), which provides that a committee includes any person making contributions if:

Contributions of cash, checks and other cash equivalents paid directly to candidates and committees total five thousand dollars (\$5,000) or more in a calendar year. Persons

^{1/}
All statutory references are to the Government Code unless otherwise noted.


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or combinations of persons who are covered by this subsection but not by subsections (a) or (b) are deemed to be committees only for purposes of Chapter 4 of this title.

A committee is required to have a treasurer. Section 84100(a). However, there is no requirement that the person designated as the committee "treasurer" be the same person who for corporate purposes holds the title "treasurer." The Union Oil committee treasurer should be an individual who is responsible for and can attest to the accuracy of the campaign statements.

When a major donor is a single person, that person ordinarily will be his own treasurer. In the case of Union Oil, any responsible person may be named treasurer for the purpose of signing reports.

Approved by the Commission on July 2, 1975. Concurring: Brosnahan, Carpenter, Lowenstein and Miller. Commissioner Waters was absent.


Daniel H. Lowenstein
Chairman